

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ROGELIO MANCERA

CASE NUMBER: 1:21-cr-00653

CRIMINAL COMPLAINT

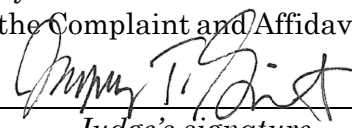
I, the complainant in this case, state that the following is true to the best of my knowledge and belief. From in or about October 2020, to in or about September 2021 at Chicago, in the Northern District of Illinois, Eastern Division and elsewhere, the defendant violated:

*Code Section*Title 18, United States Code, Sections,
922(a)(1)(A), 2*Offense Description*ROGELIO MANCERA, defendant herein,
willfully engaged in the business of dealing in
firearms without being a licensed firearms
dealer, in violation of 18 U.S.C. §§ 922(a)(1)(A)
and 2.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.
CHRISTOPHER LABNOSpecial Agent, Bureau of Alcohol, Tobacco,
Firearms & Explosives (ATF)

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: October 21, 2021
*Judge's signature*City and state: Chicago, IllinoisJEFFREY T. GILBERT, U.S. Magistrate Judge*Printed name and title*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, CHRISTOPHER LABNO, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), and have been so employed for approximately twenty years. I am currently assigned to the Chicago Field Office, Organized Crime Drug Enforcement Task Force—Chicago I Enforcement Group.

2. My responsibilities include the investigation of violations of law as they relate to federal firearms offenses, including the unlawful possession of firearms or ammunition by convicted felons, firearms trafficking, violent crime, and narcotics trafficking. I employ various investigative tools such as the use of informants and witnesses, surveillance, controlled purchases of firearms and narcotics, firearms traces, telephone toll analysis, and the execution of both search warrants and arrests warrants. As an ATF Special Agent, I have been involved in the investigations of numerous firearms offenses, violent crimes and drug trafficking offenses. I have also been the affiant for multiple search warrants, pen registers, and court orders.

3. This affidavit is submitted in support of a criminal complaint alleging that, from in or around October 2020, to on or about September 23, 2021, Rogelio MANCERA, willfully engaged in the business of dealing firearms without a license, in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 2.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging MANCERA with dealing firearms without a license, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

5. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, interviews of witnesses, and review of audio/video evidence.

I. FACTS ESTABLISHING PROBABLE CAUSE

Summary

6. In or around September 2021, the Chicago Police Department (“CPD”) and ATF began investigating a firearms-trafficking conspiracy in the Chicago area. As described in more detail below, the scheme worked as follows: an individual known to law enforcement (“Individual A”) brought firearms from St. Louis, Missouri to Chicago. Individual A then gave the firearms to Rogelio MANCERA. MANCERA would give Individual A high-end marijuana in return for the firearms. MANCERA would then sell the firearms through a middleman, Individual B. Individual B would sell the firearms to, among others, a law enforcement confidential source (“CS-1”).¹

¹ CS-1 has provided credible and truthful criminal intelligence to DEA for approximately one year. CS-1 has provided truthful and valuable information to the Chicago Police Department (“CPD”) for over a month and during this time CS-1 has participated in two controlled purchases of four firearms. On or about October 4, 2021, CS-1 began working for ATF.

7. As described in more detail below, on or about September 23, 2021, CS-1 purchased firearms from Individual B at CPD's direction. CPD then observed Individual B give money and a firearm to MANCERA. After CPD stopped MANCERA's car and searched it, MANCERA agreed to cooperate with law enforcement, and admitted that he had obtained 40 to 50 firearms from Individual A over the past year in exchange for marijuana. MANCERA also admitted to then selling those firearms through Individual B.

8. On or about October 5, 2021, CS-1 purchased two firearms from Individual B at law enforcement's direction. On or about October 18, 2021, Individual B was arrested. In a post-arrest interview, Individual B explained that MANCERA had continued to sell firearms through Individual B after MANCERA began cooperating. The next day, agents approached MANCERA. MANCERA admitted that he had been selling firearms (as well as cocaine and marijuana). MANCERA consented to a search of a storage unit in Schaumburg, Illinois, where agents recovered 27 firearms (including two machineguns) and one silencer.

CS-1 has the following felony convictions: In 1993, CS-1 was found guilty of possession of a controlled substance and was sentenced to one year of special probation. In 1997, CS-1 was found guilty of smuggling contraband into a penal institution and received a sentence of two years of probation. In 2001, CS-1 was found guilty of manufacture and delivery of cocaine and was sentenced to one year of probation. In 2001, CS-1 was found guilty of robbery, and sentenced to three years in the Illinois Department of Corrections (IDOC). In 2006, CS-1 was found guilty of distribution of a controlled substance and received a sentence of 146 months in the Bureau of Prisons (BOP) with a term of five years of supervised release which CS-1 completed.

Throughout CS-1's work with law enforcement, CS-1 has been reimbursed for approximately \$500 in reasonable expenses incurred due to CS-1's cooperation with law enforcement. CS-1 is not working for cooperation credit on a pending case.

Background: CS-1 Buys Firearms from Individual B at CPD's Direction On September 19 and 23, 2021

9. According to information provided by CPD officers, on or about September 19, 2021, CS-1 bought a rifle from a man later identified as an individual known to law enforcement, Individual B,² in exchange for \$1,700 that CPD had provided to CS-1. Numerous CPD officers searched CS-1 both before and after the controlled purchase for contraband, firearms, and money with negative results, and conducted surveillance of this controlled purchase. It was not recorded.

10. According to information provided by CPD officers, on or about September 23, 2021, CS-1 again arranged for the controlled purchase of firearms from Individual B through unrecorded telephone calls.³ On this same date, CS-1 met with Individual B and purchased three firearms in exchange for \$3,800 provided to CS-1 by CPD. As before, CPD officers searched CS-1 for contraband, firearms, and money both before and after the transaction with negative results, and conducted surveillance of this transaction.

² After the September 23, 2021 controlled purchase, CPD officers utilized a commercial database to obtain the names of individuals associated with an address on the 3900 block of West Belden in Chicago—the location of this controlled purchase of firearms. The commercial database showed Individual B as one of the people associated with the address. After observing Individual B when he met with CS-1, officers recognized a photograph of Individual B from the commercial database. CPD officers then showed an unlabeled photograph of Individual B to CS-1, who identified the person in the photograph as the same person CS-1 had purchased the guns from.

³ These calls were not recorded because they occurred before CS-1 began working with ATF. Under CPD procedures, CPD typically does not begin recording calls until later stages of an investigation. CPD's investigation into Individual B had not yet advanced to that stage.

September 23, 2021: CPD Stops MANCERA's Vehicle After Observing a Meeting Between MANCERA and Individual B Immediately After Individual B Sold Firearms to CS-1

11. According to CPD officers, immediately after the September 23, 2021 firearms transaction between Individual B and CS-1 concluded, CPD officers conducting surveillance of this transaction observed Individual B meet with an individual later identified as MANCERA.⁴ Individual B appeared to provide MANCERA with a backpack. After handing MANCERA the backpack, Individual B went back into a nearby apartment building where the deal with CS-1 had occurred.

12. After following MANCERA for a period of time, and observing MANCERA commit a traffic violation, CPD officers curbed MANCERA's vehicle and searched it based on the strong odor of cannabis emitting from inside the vehicle. Upon finding and searching the above-described backpack, CPD officers found a Glock, model 43x, 9mmsemi-automatic pistol, bearing serial number BPBC345.

13. Inside MANCERA's vehicle, CPD officers also found \$5,800. CPD compared the serial numbers of the money and determined that \$5,500 matched the serial numbers of the CPD pre-recorded funds which CS-1 had used to buy the aforementioned firearms from Individual B. Further, the \$1,700 and \$3,800 that CS-1 had received to buy the four firearms detailed in paragraphs 8 and 9 added up to \$5,500, the same amount of pre-recorded funds that MANCERA had in his

⁴ When officers stopped MANCERA, he self-identified as MANCERA and had an Illinois Driver's license with the same name in his wallet.

possession. MANCERA then agreed to cooperate with law enforcement.⁵ MANCERA was released at that time.

September 29, 2021: MANCERA Admits Trafficking Firearms to ATF

14. On or about September 29, 2021, MANCERA voluntarily agreed to meet and be interviewed by law enforcement. During the audio recorded interview, MANCERA related the following:

a. Approximately two to three years ago, MANCERA met a man he later identified as Individual A,⁶ through Facebook groups selling specialty sneakers. Approximately one year ago, MANCERA posted a photo of marijuana on Facebook, and Individual A asked MANCERA via Facebook messenger if MANCERA could get large quantities of marijuana. MANCERA sent Individual A pictures over Snapchat of large quantities of marijuana. Individual A asked to trade firearms for the marijuana.

b. Individual A typically travelled from St. Louis, Missouri to Chicago to trade the guns for marijuana. All previous transactions have taken place in residential garages in Chicago. According to MANCERA, the first time Individual A and MANCERA exchanged guns for marijuana, in or around October 2020,

⁵ Law enforcement made no promises to MANCERA about his cooperation. However, law enforcement informed MANCERA that he could not engage in criminal activity, possess firearms, or sell drugs while cooperating with law enforcement. In addition, MANCERA signed several forms agreeing to these requirements.

⁶ Agents presented a photo of Individual A to MANCERA, and MANCERA identified the photo as the person with whom MANCERA had exchanged firearms for marijuana. Additionally, agents identified Individual A by searching the cell phone number that MANCERA provided through a commercial database. Records show that the number is associated with Individual A.

Individual A gave MANCERA two firearms for “half a pound, some pre-rolls,⁷ and like other shit.”

c. MANCERA related that, over the past year, he had exchanged marijuana for guns with Individual A at least ten times, and had obtained approximately 40 to 50 firearms from Individual A. According to MANCERA, a typical trade was three firearms for every pound of high-end marijuana. MANCERA relayed that the firearms were all new and always came in a box. MANCERA believed the firearms had never been fired.

d. When agents asked MANCERA how he sold all of the firearms Individual A gave him, MANCERA advised that he used a friend whom he knew as “Little Junior” (later identified as Individual B) to retail the guns on the street to whoever wanted to purchase firearms. MANCERA stated that he knew “Little Junior” to have a felony conviction for something MANCERA believed was involving a stolen vehicle. MANCERA stated that he knew that “Little Junior” was not legally able to possess firearms.

e. MANCERA stated that over the past six months to a year, he had given Individual B approximately 20 firearms, which Individual B had sold and returned a portion of the proceeds to MANCERA. MANCERA stated that he would “front” the firearms to Individual B on credit, and then let Individual B pay MANCERA back after he (Individual B) had sold the firearms and made a profit.

⁷ Based on my training and experience, “pre-rolls” are a street slang term for pre-rolled marijuana cigarettes or cigarillos.

15. Agents showed MANCERA an unlabeled photograph of Individual B and MANCERA identified this as a photograph of the person he knew as “Little Junior.”

16. Based on my training and experience, and the training and experience of other law enforcement agents involved in this investigation, when CPD saw Individual B give MANCERA the backpack on or about September 23, 2021, Individual B was likely reimbursing MANCERA for firearms that MANCERA had previously provided Individual B on credit. Agents later interviewed Individual B and confirmed this interpretation.

Search of MANCERA’s Phone

17. On or about September 29, 2021, MANCERA consented to a search of his cell phone. The phone showed deleted text messages with Individual B,⁸ which still remained in the phone’s memory. The texts included messages between MANCERA and Individual B in which Individual B discussed selling firearms supplied by MANCERA, then returning the proceeds of these sales to MANCERA.

18. In addition, the phone contained numerous photographs of firearms in “new in box” condition, which corroborated MANCERA’s description of the firearms which he would receive from Individual A.

⁸ Agents knew the texts were with Individual B because CS-1 had previously identified Individual B’s phone number and provided it to law enforcement.

October 8, 2021: Planned Transaction of 22 Firearms in Exchange for Pounds of Marijuana

19. During MANCERA's debrief with ATF on or about September 29, 2021, MANCERA stated that the next deal with Individual A was to be four to five pounds of marijuana in return for twelve to thirteen firearms.

20. Over the next week or so, MANCERA, at law enforcement's direction and in the presence of federal agents, placed a number of recorded calls to Individual A to arrange an exchange of marijuana for firearms. On or about October 8, MANCERA and undercover agents met with Individual A. Individual A gave the undercover agents 22 firearms in return for what Individual A believed to be approximately six pounds of marijuana. Individual A was taken into custody.

21. After being advised of his rights and waiving these, Individual A agreed to cooperate with agents and provided a complete statement about his firearms trafficking scheme to trade firearms obtained in St. Louis, Missouri for high-quality marijuana. Individual A identified Robert NARUP as his source of firearms in Missouri, admitting that he had obtained approximately 60 firearms from NARUP and then brought them to Chicago, Illinois, where he traded them to MANCERA for marijuana.

22. On or about October 9, 2021, Individual A was charged via criminal complaint with one count of using a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(a)(1)(c).

23. On or about October 16, 2021, after an undercover operation in Washington, Missouri where an undercover agent posed as MANCERA and

purchased 18 firearms and 2 silencers from NARUP, NARUP was charged by complaint with dealing in firearms without a license in violation of Title 18, United States Code, Sections 922(a)(1)(a) and 2.

Individual B's Arrest and Custodial Interview

24. On or about October 5, 2021, in a recorded transaction and as observed by undercover agents, CS-1 had purchased two firearms from Individual B: one Glock 19, semi-automatic 9mm pistol, bearing serial number BUAY576, and one Glock 17, semi-automatic 9mm pistol, bearing serial number BNXM715.

25. On or about October 18, 2021, Individual B was charged via criminal complaint with one count of being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1). On this same date, agents met with Individual B at his residence in Chicago and placed him under arrest. Pursuant to a consent search of Individual B's home, agents located numerous rounds of ammunition, several firearm magazines and accessories, approximately one and a half ounces (47g) of a white powdery substance which field tested positive for cocaine, large quantities of suspect marijuana in various forms, and approximately \$6,000.

26. Individual B agreed to cooperate with law enforcement and was interviewed by agents. After agents advised Individual B of his rights and he agreed to waive them, Individual B admitted to selling between nine and ten firearms for MANCERA over the previous six months.

27. In addition, Individual B stated that MANCERA had supplied Individual B with ounces of cocaine and pounds of marijuana, and Individual B had

been re-selling them for at least the last six months. Individual B admitted that MANCERA had given him the approximately ounce and a half of cocaine the day before Individual B's arrest.

28. In addition, Individual B stated that on or about October 1, 2021, MANCERA told Individual B to obtain the two Glock pistols (Glock 19, semi-automatic 9mm pistol, bearing serial number BUAY576, and one Glock 17, semi-automatic 9mm pistol, bearing serial number BNXM715) from an associate of MANCERA's. Individual B then sold those two Glocks to CS-1 on or about October 5, 2021.

29. Individual B stated that on or about October 5, 2021, Individual B returned most of the proceeds of the sale of these two Glock pistols to MANCERA in cash. Individual B stated that he kept \$800.

30. Individual B then consented to a search of his cellular telephone. A review of his text messages with MANCERA corroborated Individual B's account of recent criminal conduct with MANCERA—including the number of a “burner phone” MANCERA had told Individual B he wanted to use to communicate about criminal activity. Individual B volunteered to make recorded telephone calls to MANCERA to further corroborate his statements.

October 19, 2021: Individual B Records Telephone Calls to MANCERA to Arrange the Purchase of Two Pistols

31. On or about October 19, 2021, under the direction of law enforcement, Individual B placed several monitored and recorded telephone calls to MANCERA to arrange for the sale of two pistols. Based on prior conversations between Individual

B and MANCERA, Individual B was to pick up the pistols from MANCERA and sell them to a buyer.

32. Specifically, at approximately 11:41 a.m., under the direction of agents, Individual B placed a monitored and recorded telephone call to MANCERA at (312) 481-3120 (MANCERA Phone). When MANCERA answered, Individual B asked, "What's the word though?" MANCERA responded, "That's what I'm calling you for, what's the word?" Individual B asked, "Did you set that up?" MANCERA stated, "No, I'm confirming it." Individual B confirmed that the deal was "a for sure thing." Individual B asked what time MANCERA would be in downtown Chicago, and MANCERA confirmed that he was on his way and would be there in about an hour. MANCERA asked, "It's a for sure thing? I don't want to take them with me for nothin'."

33. The same day, at approximately 11:43 a.m., under the direction of agents, Individual B placed another monitored and recorded telephone call to MANCERA Phone. When MANCERA answered, Individual B stated, "Hey, don't forget it's the nine and the four-five both tecs." Based upon my training and experience, Individual B was referring to the caliber of the handgun, specifically a 9mm and .45 caliber. MANCERA responded, "Ok." Individual B stated, "Don't bring me the other one you got ... those two." Individual B responded, "Ok." Individual B stated, "But make sure you bring those cause last time you brought the different one." Individual B responded, "Alright, I'll call you when I'm there."

Agents Confront MANCERA

34. At approximately 12:15 p.m. on or about October 19, 2021, officers and agents approached MANCERA, who was driving east on Irving Park Road in Schaumburg, Illinois. MANCERA agreed to voluntarily accompany agents to a nearby parking lot, where MANCERA and law enforcement could speak.

35. Once in the mall parking lot, agents told MANCERA, in summary, that they had evidence that he had continued to sell drugs and guns after he had begun cooperating with law enforcement. Agents told MANCERA that they had knowledge that MANCERA had been on his way to an illegal firearms transaction when agents approached. MANCERA stated that agents were correct, and that he had sold guns and narcotics after he had agreed to cooperate with law enforcement and not commit any more crimes.

36. MANCERA then stated that he would come “completely clean and give you everything.” MANCERA then gave agents consent to search his vehicle, three cellular telephones, a storage locker in Schaumburg, Illinois and a “trap house”⁹ at Armitage and Kimball in Chicago, Illinois.

37. On or about October 19, 2021, agents conducted the above-described consent searches. From the Schaumburg, Illinois storage unit, agents recovered approximately 27 firearms, including two machineguns; a silencer; and numerous rounds of ammunition.

⁹ Based upon my training and experience the street slang term, “trap house” refers to a location such as a house or apartment which is maintained for selling and storing narcotics.

38. At the apartment located at Armitage and Kimball, agents recovered approximately 10 pounds of marijuana, over 100 marijuana vape pen cartridges, over 100 pre-rolled marijuana cigarettes, approximately 19.5 grams of a white powdery substance that field tested positive for cocaine, a large bag of psychedelic mushrooms, ammunition, and a firearms magazine. In addition to these items, agents photographed and seized numerous baggies, foil envelopes, scales, and other items used to measure, package, and sell cocaine and marijuana. In addition, based upon my training and experience, the volume and packaging of both the marijuana and cocaine found at this location is consistent with distribution of both of these controlled substances.

MANCERA's Custodial Interview

39. After the conclusion of the consent searches described above, MANCERA agreed to accompany agents to the ATF office to be interviewed. Once at the office, agents advised MANCERA of his rights; MANCERA advised that he understood his rights. He agreed to waive them and speak with agents. In an audio and video recorded interview, MANCERA admitted that for approximately six months before CPD Officers stopped him on September 23, 2021, he had kept the approximately 27 firearms and silencer (recovered from the storage unit) at the Armitage and Kimball apartment, along with the marijuana and other narcotics.

40. MANCERA explained that he often sold cocaine and marijuana in the rear hall of this apartment. He said he kept firearms on his person and in the apartment on Armitage and Kimball in case a drug deal "went bad." MANCERA

stated that several years ago, he had a narcotics transaction “go bad” and had gotten shot in the stomach. MANCERA then described three firearms that he kept loaded at the apartment to protect himself and his product when he sold drugs. Specifically, MANCERA described the firearms as a Glock 43x, a Glock 26 (machinegun) with a Glock switch attached, and an AR-15 type pistol; MANCERA stated that he often would carry the Glock 43 on his person when he left the apartment to sell drugs. Agents recovered these three firearms during the consent search of the Schaumburg storage locker.

41. In response to questions, MANCERA explained that he had moved all of the firearms and ammunition from the Armitage and Kimball apartment to the storage locker shortly after CPD Officers had stopped him and he had agreed to cooperate with law enforcement; MANCERA explained that he feared police would return to the apartment, search it, and find the drugs and guns.

42. MANCERA also admitted selling drugs and guns through Individual B, even after agreeing to cooperate with law enforcement. MANCERA stated that he had been trying to liquidate all of his contraband in order to raise money to take care of his family and possibly move out of state. MANCERA stated that he had a significant amount of money tied up in the firearms—approximately \$20,000—as well as in narcotics, estimating the wholesale price of the marijuana in the Armitage and Kimball apartment to be approximately \$40,000. MANCERA stated that agents had now recovered all the firearms and narcotics in his possession.

43. MANCERA subsequently gave agents consent to search a residence in Schaumburg, Illinois in which he stayed in a room with his infant daughter and girlfriend. MANCERA repeatedly told agents that there were no firearms in this residence—only some marijuana. When agents conducted a search of this residence, agents recovered marijuana and a fully loaded FN 5.7mm semi-automatic pistol, with a live round in the chamber, from MANCERA’s bedroom. MANCERA then told agents that he had lied and this was also his firearm.

MANCERA’s FFL License Status

44. A Federal Firearms License (“FFL”) is a license in the United States that enables an individual or a company to engage in a business pertaining to the manufacture or importation of firearms and ammunition, or the interstate and intrastate sale of firearms. Review of a law enforcement database revealed that at all times relevant here, MANCERA was not and never has been, federally licensed to import, manufacture, deal, or engage in the business of dealing in firearms.

II. CONCLUSION

22. Based on the foregoing, I believe there is probable cause to believe that, from in or around October 2020, to on or about September 23, 2021, MANCERA willfully engaged in the business of dealing in firearms without being a licensed firearms dealer, in violation of 18 U.S.C. §§ 922(a)(1)(A) and 2.

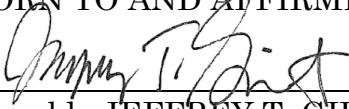
FURTHER AFFIANT SAYETH NOT.



CHRISTOPHER LABNO

Special Agent, Bureau of Alcohol, Tobacco,
Firearms & Explosives

SWORN TO AND AFFIRMED by telephone October 21, 2021.



Honorable JEFFREY T. GILBERT
United States Magistrate Judge